

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MYCHOICE, LLC

v.

TAIV, INC.

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Case No. 2:23-CV-0507-JRG-RSP

**JOINT CLAIM CONSTRUCTION AND PREHEARING
STATEMENT PURSUANT TO LOCAL P.R. 4-3**

Pursuant to Local Patent Rule 4-3 and the Court’s Docket Control Orders, Plaintiff MyChoice, LLC (“MyChoice”) and Defendant Taiv, Inc. (“Taiv”) jointly submit this Joint Claim Construction and Prehearing Statement (“JCCS”). The claim terms proposed for construction below are found within U.S. Patent No. 10,708,658 (the “Asserted Patent”). Pursuant to P.R. 4-3, the parties provide the following:

I. P.R. 4-3(A)(1) – AGREED CLAIM CONSTRUCTIONS

The parties have not agreed to any proposed constructions for claim terms in the Asserted Patent:

II. P.R. 4-3(A)(2) – DISPUTED CLAIM CONSTRUCTIONS

The parties’ proposed claim constructions for the disputed terms, as well as their intrinsic and extrinsic evidence, can be found in Exhibit A. The parties reserve the right to rely upon the evidence supplied by the opposing side. In addition, each party reserves the right to amend, correct, or supplement its claim construction positions and supporting evidence in response to any change of position by any other party, or for other good cause.

III. P.R. 4-3(A)(3) – LENGTH OF CLAIM CONSTRUCTION HEARING

The parties propose that the Court allow a total of one hour (30 minutes per side) for the hearing.

IV. P.R. 4-3(A)(4) – LIVE WITNESS TESTIMONY AT CLAIM CONSTRUCTION HEARING

Neither party intends to call any live witnesses at the claim construction hearing.

V. P.R. 4-3(A)(5) – OTHER ISSUES

At this time, the parties are unaware of any additional issues that might appropriately be taken up at a prehearing conference prior to the Claim Construction Hearing.

VI. P.R. 4-3(B) – DISCLOSURE OF EXPERT TESTIMONY

Neither party intends to rely on expert testimony in their briefing.

Dated: January 8, 2025

Respectfully submitted,

/s/ Michael C. Gilleran

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**ATTORNEYS FOR DEFENDANT TAIV,
INC.**

CERTIFICATE OF CONFERENCE

Counsel for the parties conferred via telephone and email regarding the above motion in accordance with Local Rule CV-7(i), and the motion is unopposed.

/s / Michael C. Gilleran
Michael C. Gilleran